



PATENT
P-5074

1651
#6
JP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alarcon et al.

Serial No.: 10/039,833

Art Unit: 1651

Filing Date: January 4, 2002

Examiner: Kailash C. Srivastava

For: **ENTRAPPED BINDING PROTEIN AS BIOSENSORS**

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

MAR 17 2003

TECH CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed on February 25, 2003, wherein the Examiner requested an election of subject matter specified in claims 1-50 of the pending application pursuant to a restriction requirement under 35 U.S.C. §121 to one of the following groups:

Group I, consisting of claims 1-22 and 34-50 drawn to a biosensor comprising a luminescent compound and entrapped mutated binding protein, said protein having at least one substituted amino acid, classified under Class 435, subclass 287.1; and

Group II, consisting of claims 23-33 drawn to a method to determining glucose in a sample, classified under Class 435, subclass 42,

Applicants have elected Group I, consisting of claims 1-22 and 34-50, without traverse.

REMARKS

Applicants expressly reserve the right to the non-elected subject matter including the right to file one or more continuation and/or divisional applications to that subject matter, as now embraced in non-elected Claims 23-33. Applicants respectfully submit that the election has been made in good faith and that the Claims are in proper form for allowance.

Respectfully submitted,

Dated: March 8, 2003

By: *Jaconda Wagner*
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ON: ~~FEBRUARY 24, 2003~~ *March 10, 2003*

BY: SUSAN R. WAGNER

Susan R. Wagner *3/10/03*
(SIGNATURE) (DATE)